

Bankstahl et al.

S/N: 10/605,738

REMARKS

Claims 21-55 are pending in the present application. In the Office Action mailed December 21, 2004, the Examiner rejected claims 21-41 under the judicially created doctrine of obviousness-type double patenting and objected to claims 42-55 as being dependent upon a rejected base claim. Applicant appreciates the indication of allowability of the subject matter of claims 42-55.

The Examiner objected to the Specification and requested that the status of the parent application, now issued USP 6,674,046, in the Cross-Reference to Related Applications be corrected. Applicant has made the requested correction. The Examiner also objected to paragraph [0026] the Specification stating that "[i]n paragraph [0026], 3<sup>rd</sup> line from the end, '78' should be changed to '98' after 'bracket'." Applicant appreciates the Examiner's thorough review of the present application and the Examiner's suggestion, however; Applicant does not believe that the Examiner's suggestion is the appropriate correction. As stated in paragraph [0029], lines 5-6 of the Specification, "Belt tensioner 94 is connected to the first mounting bracket 102 at bolt hole 128 with an appropriate fastener." Applicant has corrected the typographical error in paragraph [0026] of the Specification to comport therewith. As amended, paragraph [0026] of the Specification states that the belt tensioner 94 is connected to a mounting bracket 102.

The Examiner rejected claims 21-41 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 7-12, 16-20, 23, 24, and 26-33 of U.S. Pat. No. 6,674,046. Applicant has included herewith a Terminal Disclaimer to Obviate a Double Patenting Rejection Over A "Prior" Patent which disclaims the terminal portion of the statutory period of claims 21-41 that extends beyond the statutory period of U.S. Pat. No. 6,674,046. Also enclosed is a Credit Card Authorization in the amount of \$130.00 for payment of the Terminal Disclaimer fee.

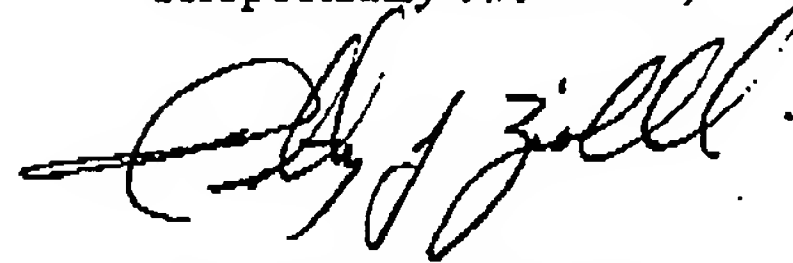
Accordingly, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 21-55.

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Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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Dated: 1/19/05  
Attorney Docket No.: ITW7510.075

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